

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TERRY APPLING, ) Case No.: 10-CV-01900-LHK  
Plaintiff, )  
v. ) ORDER CONTINUING MOTION  
WACHOVIA MORTGAGE, FSB, a Federal ) HEARING, CASE MANAGEMENT  
Savings Bank; WORLD SAVING BANK, FA, ) CONFERENCE, AND MEDIATION  
a Federal Savings Bank; WELLS FARGO ) DEADLINE  
BANK, NA, a National Banking Association )  
member; IQ HOME LOANS AND REALTY )  
CORPORATION, a California Corporation; )  
ALI MIRZAEI and WILLIAM CHEN, )  
Defendants. )

On December 13, 2010, the parties stipulated to continue the hearing on Defendants' motion to dismiss due to Plaintiff counsel's illness. The hearing date proposed by the parties is not a date on which the Court hears motions. Instead, the Court will CONTINUE the motion hearing to February 10, 2011, at 1:30 p.m., and set a briefing schedule to ensure that the motion is resolved expeditiously. The parties shall brief Defendants' motion as follows:

(1) Plaintiff's opposition shall be due by January 6, 2010.

(2) Defendants' reply shall be due by January 13, 2010.

The Court will hold a Case Management Conference following the motion hearing on February 10, 2011. In addition, the Court continues the mediation deadline to March 1, 2011.

## IT IS SO ORDERED.

Dated: December 13, 2010

Lucy H. Koh  
LUCY H. KOH  
United States District Judge